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MEMO ENDORSED

May 7, 2009

<u>VIA FACSIMILE</u>

Honorable P. Kevin Castel, U.S.D.J. United States District Court Daniel Patrick Moynihan United States Courthouse 500 Pearl Street, Room 2260 Courtroom 12C New York, New York 10007

Re:

Zaccaro v. Hasu P. Shah, et al.

Index No.: 08-CV-3138

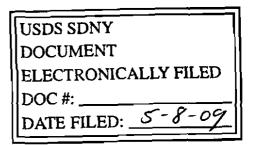
Dear Judge Castel:

Please accept this letter as a joint submission on behalf of both Plaintiff, who this firm represents. and Defendants, who are represented by Byler & Blaker, LLC, in connection with the above referenced matter. We are writing with consent of our adversary a joint letter request to the Court concerning expert discovery in the above referenced matter. Given the large number of depositions of fact witnesses that have taken place in this matter, counsel have discussed and agreed upon a joint proposal to expeditiously complete expert discovery. The plan for the conducting of expert discovery in this matter extends thirty (30) days to the current schedule to afford the parties an opportunity to exchange their respective expert reports and take the depositions of one another's experts.

The parties have agreed upon the following schedule for expert discovery:

- Plaintiff will provide its expert reports and required disclosures on or before May 1. 29, 2009;
- 2. Defendants will provide their expert reports and required disclosures on or before June 29, 2009; and
- 3. All expert depositions will be completed on or before July 31, 2009, with plaintiff's expert depositions occurring prior to defendants' expert depositions.

The pretrial submission date and pretrial conference date to be set by the Court.



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We respectfully request Your Honor's approval of the proposed schedule and thank Your Honor in advance for Your Honor's consideration of this request.

Respectfully submitted,

JoAnne M. Bonacci

JMB/mn

Anthony Byler, Esq. CC:

I am pleased to endorse

al adopt revisions the Conference

Th